

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Eric Lamont Phillips

Docket No. 5:14-CR-239-1M

Petition for Action on Supervised Release

COMES NOW Haley Huntley, U.S. Probation Officer of the Court, presenting a petition for modification of the Judgment and Commitment Order of Eric Lamont Phillips, who, upon an earlier plea of guilty to Possession of a Firearm by a Felon, in violation of 18 U.S.C. § 922(g)(1) and 18 U.S.C. § 924(e)(1), was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on June 9, 2015, to the custody of the Bureau of Prisons for a term of 120 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months. Eric Lamont Phillips was released from custody on September 2, 2022, at which time the term of supervised release commenced.

On November 10, 2022, the defendant's conditions of supervision were modified to include the addition of a cognitive behavioral program. On January 6, 2023, a Violation Report was submitted to the Court advising that the defendant submitted a urine sample that tested positive for cocaine. The defendant was continued under supervision to participate in substance abuse treatment.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On August 15, 2023, the defendant committed the offenses of Driving While Impaired and Open Container of Alcohol Violation (23CR386665), in Cumberland County, North Carolina. The defendant was given a verbal reprimand and referred to substance abuse treatment. In addition, the probation office respectfully recommends that the conditions of supervised release be modified to include an alcohol abstinence condition as well as 60 days of remote alcohol monitoring. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
2. The defendant shall abide by all terms and conditions of the Remote Alcohol Monitoring Program, as directed by the probation officer, for a period not to exceed 60 consecutive days.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Keith W. Lawrence
Keith W. Lawrence
Supervising U.S. Probation Officer

/s/ Haley Huntley
Haley Huntley
U.S. Probation Officer
150 Rowan Street Suite 110
Fayetteville, NC 28301
Phone: 910-354-2533
Executed On: August 18, 2023

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ORDER OF THE COURT

Considered and ordered this 21st day of August, 2023, and ordered filed and made a part of the records in the above case.

Richard E. Myers II

Richard E. Myers II
Chief U.S. District Judge